BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Annual Meeting January 3, 2012

<u>Call to Order</u> The annual, organizational meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 7:01 P. M., Tuesday, January 3, 2012, in the Board Chambers, Stafford County Administration Center.

Roll Call The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Jack R. Cavalier; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson, and Robert "Bob" Thomas, Jr.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

<u>Legislative</u>; <u>Election of Chairman</u> The Chairman opened the nominations.

Mr. Sterling nominated Ms. Stimpson for Chairman. Hearing no objection from the Board, the nominations were closed.

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By Roll Call, the vote on the nomination for Ms. Stimpson was:

Yea:

(6) Cavalier, Milde, Snellings, Sterling, Stimpson, Thomas

Nay:

Abstain: (1) Dudenhefer

Following the announcement that Ms. Stimpson had been elected as Chairman, Mr.

Dudenhefer submitted his resignation.

Ms. Stimpson assumed the Chairman's position and commented on Mr. Dudenhefer's

many accomplishments during his tenure on the Board. She wished him well serving in

as a member of the House of Delegates adding that the Board would continue its hard

work on behalf of the citizens of Stafford County. Ms. Stimpson briefly commented on

the characteristics and attributes of the other Board members. She spoke of Mr.

Snellings' laughter and his being such a gentleman; Mr. Milde's studying of matters

before the Board and the smart and creative ways in which he finds solutions; and talked

about Mr. Sterling's brainpower and contributions to the Board. She also stated that she

is looking forward to working with Mr. Thomas, who may be the youngest on the Board,

but is a "very wise soul"; and Mr. Cavalier, who brings much experience and a historical

perspective to the Board.

Legislative; Election of Vice Chairman The Chairman opened the nominations.

Mr. Snellings motioned, seconded by Mr. Milde, to nominate Mr. Sterling for Vice

Chairman. Hearing no objection from the Board, the nominations were closed.

By Roll Call, the vote on the nomination for Mr. Sterling was:

Yea:

(6) Cavalier, Milde, Snellings, Sterling, Stimpson, Thomas

Nay:

(0)

Recess At 7:13 P. M., the Chairman declared a recess.

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Call to Order At 7:21 P. M. the Chairman called the meeting back to order.

<u>Legislative</u>; Adopt Bylaws and Rules of Procedure Mr. Sterling motioned, seconded by

Mr. Milde, to adopt proposed Resolution R12-01.

Mr. Snellings and Mr. Thomas were appointed to the Bylaws Committee. Mr. Milde

requested the Committee consider, as a part of the Bylaws, that a member of the Board

may be vice-chairman for more than two years. A revision to the way substitute motions

are handled will also be a topic for discussion and review by the Bylaws Committee.

The Voting Board tally was:

Yea:

(6) Sterling, Milde, Cavalier, Snellings, Stimpson, Thomas

Nay:

(0)

Resolution R12-01 reads as follows:

A RESOLUTION TO ADOPT BY-LAWS AND RULES OF PROCEDURE FOR THE BOARD OF SUPERVISORS FOR CALENDAR YEAR 2012

WHEREAS, the Board, though made up of seven individuals representing their respective electoral districts, functions as a single legislative policy-making body vested with rights and powers conferred by general law; and

WHEREAS, the Board, at its annual meeting, shall adopt By-Laws and Rules of Procedure;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of January, 2012, that it be and hereby does adopt the 2012 By-Laws and Rules of Procedure, as attached hereto.

2012

BY-LAWS AND RULES OF PROCEDURE

BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

Adopted: January 3, 2012

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BY-LAWS AND RULES OF PROCEDURE STAFFORD COUNTY BOARD OF SUPERVISORS

Section 1 -- Meetings

Section 1-1

Annual organizational meetings
The first January meeting of each year shall be known as the annual meeting.

- B. The Chair shall be elected at the annual meeting for a term of one year. The Chair shall serve until a successor has been elected. The Chair may succeed him/herself in office.
- C. Following the election, the Chair shall conduct the election of the Vice Chair.
- D. No member shall serve as Chair or Vice Chair for more than two consecutive years.
- E. Following the election of the Vice Chair, the Board of Supervisors ("Board") shall:
- 1. Establish days, times, and places for its regular meetings;
- 2. Adopt its By-Laws and Rules of Procedure ("By-Laws"); and
- 3. Make appointments of individuals to County boards, authorities, commissions, and committees. Appointments shall be made by majority vote. Appointments to the various County boards, authorities, commissions, and committees may be made by a single vote or multiple votes, except as required by the Code of Virginia. Appointments may be made by motion, resolution, or ordinance, except as required by the Code of Virginia.

Section 1-2 When regular meetings held

Whenever the regularly scheduled meeting date falls on a legal holiday, the regular meeting shall be held on the following day in accordance with § 15.2-1416 of the Code of Virginia (1950), as amended. The Chair may cancel any meeting because of inclement weather or disaster and should reschedule any cancelled meeting at the earliest possible date. No meeting shall last any later than midnight of the day of the meeting, unless a majority of the Board votes to extend the meeting.

Section 1-3 Special Meetings

The Board may hold such special meetings as it deems necessary at such times and places, as it may find convenient; and it may adjourn from time to time. A special meeting of the Board shall be called pursuant to § 15.2-1418 of the Code of Virginia (1950), as amended. Notice to the public of any special meeting shall be given contemporaneously with the notice provided to the members of the Board and the County Attorney.

Section 1-4 Quorum and method of voting

A. A quorum shall consist of a majority of the members of the Board of Supervisors.

- B. At meetings of the Board, the presiding officer shall announce which members are absent and the reasons for their absence, if known. Such announcement shall be made immediately after the roll call of members; or, if a member leaves after the roll call, as soon as practicable thereafter. Any absences and the reasons therefore also shall be recorded in the minutes of the meeting.
- C. All questions submitted to the Board for decision shall be voted on using the electronic voting board. Any member may request a roll call vote. A green light represents a "Yea" vote and a red light represents a "Nay" vote. The Chair shall call for the vote and each member shall cast his/her vote via the electronic voting board. The Chair shall then call for the Clerk to close the vote. Upon closing the vote, the Clerk shall display the vote as directed by the Chair. Upon the display of the vote, the Chair shall announce the vote. If a Board member believes that the electronic voting board does not correctly reflect their vote or did not record their vote, the member shall advise the Chair immediately after the Chair announces the vote. If the electronic voting board is not available due to technical problems/malfunction, the Board shall vote using a roll call vote.
- D. It shall be the duty of every member to vote on issues before the Board of Supervisors. If a member must abstain, he/she shall state his/her reason for abstaining for the record. If an abstention occurs, it shall be the responsibility of the Chair to have the reason for the abstention noted in the official record, if a reason is requested by any member of the Board.
- E. A tie vote fails; however, if all members are not present for the vote, the matter shall be passed by until the next regular meeting of the Board, when the matter shall be placed on the agenda as if for the first time, with full discussion and debate allowed by all members and with a new vote taken by all members present.

Section 2 -- Officers

Section 2-1 Chair and Vice Chair

The Chair shall preside at all meetings of the Board of Supervisors. The Vice Chair serves in the absence of the Chair. If both the Chair and the Vice Chair are absent from any meeting, the senior member of the Board that is present shall preside as Temporary Chair. The Chair shall make all appointments to the Board of Supervisors' committees. Substitutes or alternates may participate only if so authorized by the Chair.

Section 2-2 Preservation of order

At meetings of the Board, the presiding officer shall preserve order and decorum.

Section 2-3 Chair may administer oaths

The Chair shall have the power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-4 Parliamentarian

Except as modified herein or as provided by law, the most current edition of Robert's Rules of Order shall be the parliamentary authority of the Board of Supervisors using the Rules for small bodies. The County Attorney, or his/her designee, shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules of Order shall be addressed to the County Attorney, or his/her designee. If the County Attorney, or his/her designee, is unavailable, the County Administrator shall serve as the Parliamentarian.

Section 2-5 Clerk

The Clerk of the Board shall be the County Administrator as set out in §§ 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended.

Section 3 -- Conduct of Business

Section 3-1 Order of business

A. At the Board's first meeting of the month, the order of business shall be generally as follows:

- 1. call to order (3:00 p.m.)
- 2. roll call of members
- 3. announcement of absences
- 4. presentations by the public-I
- 5. presentations/committee reports by members of the Board
- 6. report of the County Attorney
- 7. report of the County Administrator
- 8. consent agenda
- 9. unfinished business
- 10. new business
- 11. items added by Board members
- 12. closed meeting (if necessary)
- 13. recess
- 14. invocation (7:00 p.m.)
- 15. Pledge of Allegiance
- 16. presentations by the public-II
- 17. public hearings
- 18. media time
- 19. adjournment
- B. At the Board's second meeting of the month, the order of business shall be generally as follows:
 - 1. call to order (3:00 p.m.)
 - 2. roll call of members
 - 3. announcement of absences
 - 4. presentations/committee reports by members of the Board
 - 5. work session

- 6. report from VDOT (quarterly)
- 7. recess
- 8. invocation (7:00 p.m.)
- 9. Pledge of Allegiance
- 10. presentations by the public
- 11. public hearings
- 12. consent agenda
- 13. closed meeting (if necessary)
- 14. media time
- 15. adjournment
- C. If the Board holds a third or subsequent meeting in a month, the order of business shall generally follow the order of business for the Board's second meeting of the month unless the Chair directs otherwise.
- D. The above order of business and times may be modified by the County Administrator should there not be an evening portion of the meeting, or for presentations by VDOT, the Sheriff, the School Superintendent or his/her designee, etc., and appointments which are occasional in nature.
- E. Presentations and committee reports by Board members are limited to three (3) minutes each. It shall be the responsibility of the Chair to enforce this rule.
 - F. Presentations by the public are governed by the following rules:
- 1. Comments by the public shall be limited to three (3) minutes for all speakers.
- 2. Any person who speaks during the day public presentation portion of the meeting shall not be permitted to speak during the evening public presentation period.
- 3. Though encouraged to complete a speaker's card in advance for record purposes, any person wishing to speak may do so without completion of a speaker card.
- 4. Public presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the County Administrator's office by noon on the Monday before the Board meeting at which the presentation is to be made.
- 5. Citizens may not address issues during the Citizens' Comment period on matters that are scheduled for public hearing during the same meeting.
- G. No action shall be taken on any committee report unless it is time-sensitive. All action shall be scheduled for the next regular agenda.

Section 3-2 Consent agenda

- A. The consent agenda shall be introduced by a motion "to approve the consent agenda," and shall be considered by the Board as a single item.
- B. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda. Board members may ask questions to clarify a consent agenda item. At a Board member's request, an item shall be removed from the consent agenda and addressed as a discussion item after the Board disposes of the consent agenda.
- C. The warrant register and specific items that involve the expenditure of funds which have been approved in the annual County budget may be placed on the consent agenda.
- D. The appointment of individuals to County boards, authorities, commissions, and committees to at-large positions may be placed on the consent agenda, provided that the names and necessary biographical information of the nominees, including profession/occupation and education, are made available to the Board as a part of its package prior to the meeting at which the appointment is to occur.
- E. The acceptance of grants from federal or state agencies and flow-through funds awarded to county entities, departments, and agencies may be placed on the consent agenda.
- F. The acceptance of property or the ratification of the purchase of property previously authorized by the Board may be placed on the consent agenda.

Section 3-3 Motions

- A. No motion shall be discussed prior to being duly seconded in accordance with these By-laws. After a motion is properly made and seconded, the Chair should restate the motion and open the floor to discussion.
- B. The Chair cannot make a motion unless such matter is specific to his district. The Chair may make a motion without relinquishing the chair.
- C. No member may speak a second time on a motion until every member desiring to speak has spoken.
- D. A Board member may participate in discussion of any issue only after the Chair recognizes that member. If two Board members desire to be recognized at the same time, the Chair shall determine which member will be recognized first.
- E. The Chair shall not recognize a motion to call-the-question until every member desiring to speak has had an opportunity to speak. The motion requires a second and is not debatable.

F. After discussion is ended and prior to voting, the Chair should ensure, if necessary, that the motion is sufficiently clear, at which time the Chair shall call for the vote.

Section 3-4 Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chair on any question of order or the interpretation of these By-laws. A majority vote of those present is necessary to overrule the Chair. No second is required on a member's appeal.

Section 3-5 <u>Suspending rules</u>

One or more of these By-Laws and Rules of Procedure may be suspended with the concurrence of two-thirds of the members present.

Section 4 -- Public Hearings

Section 4-1 Chair to conduct public hearings

The Chair shall conduct all public hearings.

Section 4-2 Hearing presentations

Public hearings should begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission, or committee by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members' inquiries during the staff's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing.

Section 4-3 Order of public hearings

The order of public hearings shall be as follows:

- A. The Chair shall open the public hearing.
- B. The applicant, or the representative of the applicant, shall be the first speaker. There shall be a time limit of five (5) minutes for the applicant's, or the representative's, presentation, unless extended by the Chair. Any and all representations made by the applicant, or the representative, to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.
- C. The Chair shall then solicit comments from the public. Each speaker must clearly state his name and address. There shall be a time limit of three (3) minutes for each speaker.

- D. After public comments have been received, the applicant, or the representative of the applicant, at the applicant's discretion, may respond with further information. There shall be a five (5) minute time limit for rebuttal by the applicant, or the representative of the applicant.
- E. Upon the conclusion of the applicant's, or the representative's, comments, the Chair shall close the public hearing.

Section 4-4 Members' participation

Board members shall withhold their comments in public hearings to ensure participation by the public without Board interference.

Section 4-5 Close of hearing

When a public hearing has been closed by the Chair, no further public comments shall be permitted. Board members, however, may direct questions to the applicant, the representative of the applicant, the representative of the cognizant board, authority, commission, or committee, and/or a staff member for clarification prior to taking any vote, if a vote is in order.

Section 4-6 Debate

Following the close of the public hearing, the Chair entertains a motion and a second to dispose of the issue and the Board may debate the merits of the issue. During the Board's discussion and/or after a motion is made and seconded, Board members may ask questions of the applicant, the representative of the applicant, the representative of the cognizant board, authority, commission, or committee, and/or a County staff member.

Section 5 -- Agenda

Section 5-1 Preparation

- A. The Clerk shall prepare an agenda for each regular and special meeting conforming to the order of business specified in Section 3-1 entitled "Order of Business". The County Administrator shall coordinate the scheduling of items on the agenda with the Chair. The Chair shall schedule the topics for the work sessions on the second monthly meeting and special meetings as necessary.
- B. Each Board member may request that no more than two (2) total items to be included on any Board meeting agenda for discussion. If the Chair or County Administrator receives the request prior to the preparation of the proposed agenda as set forth in Section 5-1(A) of these Bylaws, the Chair may include the requested item on the agenda. If the request is not received in time to be included on the proposed agenda, the County Administrator may include a Board member request on the agenda, so long as no Board member has no more than a total of two (2) discussion items on the agenda and the request is received by the County Administrator by the close of business on Tuesday of the week prior to the scheduled Board meeting (generally seven (7) calendar days prior to the Board meeting). No vote is allowed on a discussion item at the meeting when the

item is brought up to the Board. At the Board's direction, and after it has considered the item, the County Administrator shall place the item on the agenda for the first meeting of the month following the request for action.

- C. All items requested to be placed on the agenda, which have not been submitted within the prescribed deadline, shall be placed on the next regular agenda for consideration.
- D. Appointments may be placed on the agenda for consideration at any time, provided that no appointments shall be made prior to the annual meeting of the Board for a term beginning on January 1st of the calendar year. All appointments shall be made between the annual meeting and the end of March each year. This restriction does not preclude appointments when vacancies occur or when new boards, authorities, commissions, and committees are created.
- E. Any matter not on the scheduled agenda may be heard provided that such a request is in the form of a motion, duly seconded and voted upon by a majority of the Board. Any such matter must be of an emergency nature, vital to the continued proper and lawful operation of the County.

Section 5-2 Minutes

The Clerk of the Board shall prepare and maintain adequate minutes of the proceedings of the Board in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will not include every aspect of the Board's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. Minutes shall be included as part of the agenda package for the subsequent meeting of the Board.

Section 6 -- General Operating Policy

Section 6-1 Actions by individual members of the Board

A. It shall be the policy of the Board that no one member shall exert individual action or direct any County employee, or any board, authority, commission, or committee of the Board, to initiate any action that would require a County employee to perform any action contrary to the laws, ordinances, or policies of Stafford County, or which would require the expenditure of public funds in any amount without the approval of the Board. It shall further be the policy that when any Board member writes a letter or memorandum expressing his/her views, that he/she place on the same document the following, if appropriate:

This letter, memorandum or document represents only the views of the writer or writers and does not necessarily represent the views of any other individual member of the Board of Supervisors, or the Board of Supervisors as the governing body of Stafford County, Virginia.

B. It is anticipated and expected that a member cast a vote, or otherwise take official action, which is consistent with the position taken by the Board, as expressed in an official vote, while acting on any other board, authority, commission, committee, or other legal entity. By accepting the nomination, the nominee agrees to the adherence of these By-Laws.

Section 6-2 Legal action

Board members, the County Administrator, the County Attorney, and any other public official are required to advise the Board prior to filing any civil suit that involves the County. The Building Official, the Zoning Administrator, and/or the Fire Marshal, when appropriate, may seek injunctive relief in accordance with the procedures set forth by the County Administrator and the County Attorney.

Section 6-3 <u>Discussion of zoning and land use matters</u>

Board members shall not engage in discussions or negotiations with applicants on zoning or land use matters during the time that the application is before the Planning Commission and prior to referral to the Board of Supervisors, unless negotiations are facilitated by staff, prior to the Planning Commission's referral of the matter to the Board of Supervisors.

Section 6-4 Polling Procedure

The County Administrator or his designee may separately contact members of the Board for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in § 2.2-3701 of the Code of Virginia (1950), as amended.

Section 6-5 Action on Certain Matters in Election Years

In any year in which members of the Board of Supervisors are elected in a general election, the Board shall not take any action or vote in November or December regarding any of the following types of matters: (1) rezoning applications; (2) Conditional Use Permit applications; (3) Comprehensive Plan amendments; (4) zoning text amendments; (5) any other land use issues; (6) borrowing money; (7) appointments to any boards, authorities, commissions, and/or committees; and/or (8) budget amendments except prior year re-appropriations after the County's financial statements are completed.

Section 7 -- Amendments

Section 7-1 Amendments to the By-Laws and Rules of Procedure

The By-Laws may be amended as necessary by majority vote of the Board.

<u>Legislative</u>; 2012 Board Meeting Calendar Following discussion about a suggested change in the July meeting date, Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R12-04 with the following change: March 6th meeting will begin at 7:00 p.m. with an evening session only.

The Voting Board tally was:

Yea: (6) Snellings, Milde, Cavalier, Sterling, Stimpson, Thomas

Nay: (0)

Resolution R12-04 reads as follows:

A RESOLUTION TO ESTABLISH THE STAFFORD COUNTY BOARD OF SUPERVISORS MEETING SCHEDULE FOR 2012

WHEREAS, the time and place of regular meetings of the Board shall be established; and

WHEREAS, the Board desires that the regular meetings shall be held in the Board Chambers of the Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, on the first and third Tuesday of each month at 3:00 P. M.; and

WHEREAS, regular meetings, without further public notice, may be adjourned from day-to-day or from time-to-time or from place-to-place, not beyond the time fixed for the next regular meeting, until the business before the governing body is completed; and

WHEREAS, should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of January, 2012 that the Board be and it hereby does establish the following dates for its Regular Meetings for 2012:

Proposed Board Meeting Dates for 2012:

January 3	June 5
January 17	June 19
February 7	July 3
February 21	August 21
March 6 (7:00 p.m. start)	September 4

March 20
April 3
October 2
April 17
October 16
May 1
November 20
May 15
December 4
June 5
December 18

<u>Presentations by the Public</u> The following persons spoke:

Elizabeth Bajorek - Price setting on raw land/fraudulent deed

recordation/County assessments

Paul Waldowski - Commuter parking lot/Stormwater Management

<u>Presentations by Members of the Board</u> Board members spoke on the topics as identified:

Mr. Cavalier - Happy to be back and looking forward to the next

four years

Mr. Milde

- "I have consistently voted for a Chairman in our organizational meeting, and I did so again today. This was the seventh time I have cast this vote. But I do not believe that we should be making this decision any longer. It is time for the people of Stafford to have their say as to who should be Chairman. I have repeatedly requested that we ask our General Assembly member to carry the legislation necessary to hold a referendum on electing a county-wide chairman. Recently, only Mr. Sterling and I voted to support a referendum. Now, with the new members who have publicly expressed their support for holding a referendum on a county-wide chairman, I am optimistic that today will be one of the last times that this Board will conduct this vote. I look forward to our discussion in the weeks ahead as we, hopefully, will vote to let the people decide who should be chairman."

- Congratulations to Ms. Stimpson

Will miss working with Mr. Dudenhefer

Mr. Snellings - Wished a Happy New Year to everyone in Stafford

Welcomed Mr. Cavalier and Mr. Thomas

Mr. Sterling - Deferred

Mr. Thomas "First and foremost, I would like to thank the people of the George Washington District for allowing me this opportunity to serve. I would also like to thank Mr. Romanello and his staff for being proactive and preparing me over the last two months. I enjoyed meeting all the department heads and I stand in awe over the great work the County is doing on behalf of Stafford residents. I would like to thank Dr. Harry Crisp, not only for his four great years of service to the Board, but for taking the time to meet with me and bring me up to speed on the issues important to our District. When we met for lunch, Harry came with stacks of paper and what impressed me most was the understanding and passion he has for the issues in our District such as Ferry Farm. Our District has greatly benefited from his service. Lastly, I would like to thank my wife and children for their support and willingness to share some of our precious family time for the greater good of our county. Fellow members of the Board, I am truly humbled by this opportunity to serve and I look forward to working with each of you."

Ms. Stimpson - Looking forward to a successful year

Ms. Stimpson asked Mr. Shumate to distribute Conflict of Interest packets to Board members and asked Mr. Shumate if Board members should "police" their appointees. Mr. Shumate responded that they should, to a certain degree, but there is an honor system in place for appointees as well.

<u>Legislative</u>; <u>Appoint Members to Boards, Authorities, Commissions and Committees</u> By unanimous vote of the Board, the following appointments/reappointments were confirmed:

ADA Grievance Committee

Advisory Board on Towing

Advisory Board Private Trespass

Agricultural Commision/PDR

Architectural Review Board

Board of Building Code Appeals

Board of Social Services

Board of Zoning Appeals

Central Rappahannock Regional Library Board of Trustees

Chaplin Group Home Commission

Civilian-Military Community Relations Council

Community Policy and Management Team

Fire Prevention Code Board of Appeals

Fredericksburg Area Metropolitan Planning Organization (FAMPO)

Fredericksburg Regional Alliance

George Washington Regional Commission (GWRC)

Military Affairs Council

Parks and Recreation Commission

Potomac Watershed Roundtable

Rappahannock Area Agency on Aging (Board of Directors)

Rappahannock Area Youth Commision

Rappahannock Regional Solid Waste Management Baord

Rappahannock River Basin Commission

Utilities Commission

Wetlands Board

Planning Commission

Mr. Cavalier appointed Mr. Roy Boswell to represent the Griffis-Widewater District.

The Voting Board tally was:

Yea: (6) Cavalier, Milde, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Mr. Thomas appointed Dr. James Schwartz to represent the George Washington District.

The Voting Board tally was:

Yea: (6) Thomas, Cavalier, Milde, Snellings, Sterling, Stimpson

Nay: (0)

Mr. Sterling reappointed Mr. Gordon Howard to represent the Rock Hill District.

The Voting Board tally was:

Yea: (5) Cavalier, Milde, Sterling, Stimpson, Thomas

Nay: (1) Snellings

<u>Telecommunications Commission</u> A vacancy remains for a representative of the Garrisonville District. Additional appointments are as follows:

Mr. Milde motioned, seconded by Mr. Snellings, to reappoint Ms. Danielle Davis.

The Voting Board tally was:

Yea: (6) Milde, Snellings, Cavalier, Sterling, Stimpson, Thomas

Nay: (0)

Mr. Sterling motioned, seconded by Mr. Thomas, to reappoint Mr. Thomas Gregory.

The Voting Board tally was:

Yea: (6) Sterling, Thomas, Cavalier, Milde, Snellings, Stimpson

Nay: (0)

Mr. Sterling motioned, seconded by Mr. Milde, to reappoint Mr. James Minor.

The Voting Board tally was:

Yea: (6) Sterling, Milde, Cavalier, Snellings, Stimpson, Thomas

Nay: (0)

Mr. Cavalier motioned, seconded by Mr. Milde, to reappoint Mr. Russ Moulton.

The Voting Board tally was:

Yea: (5) Cavalier, Milde, Snellings, Stimpson, Thomas

Nay: (1) Sterling

Mr. Thomas appointed Mr. William Surrette to represent the George Washington District.

Ms. Stimpson appointed Mr. John Lozano to represent the Falmouth District.

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Deferred until January 17, 2012, (or until a Garrisonville District Supervisor appointment

is made) were appointments to the Fredericksburg Area Metropolitan Planning

Organization (FAMPO); the George Washington Toll Road Authority; the Industrial

Development Authority of Stafford and Staunton; the Potomac and Rappahannock

Transportation Commission (PRTC); the Stafford Museum and Cultural Center; and the

Telecommunications Commission.

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Romanello reported that Mr. Cavalier and Mr.

Thomas received Orientation Manuals, adding that the Manual will soon be available on

the Board's iPads; application packets for the four Garrisonville District applicants, along

with the FY2011 Audit, were hand delivered to the Board on Wednesday, December 28,

2011. A Veteran's Mobile Van will be available for County citizens on January 17th from

9:00 – 3:00 and January 18th from 9:00 – 2:00. A presentation of the FY2011 Audit is

scheduled for a work session on January 17, 2012.

Legislative: Additions and Deletions to the Agenda There were no additions or deletions

to the agenda.

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Sterling, to adopt

the Consent Agenda consisting of Items 4 thru 6, omitting Item 4 at the request of Mr.

Cavalier.

The Voting Board tally was:

Yea:

(6) Milde, Sterling, Cavalier, Snellings, Stimpson, Thomas

Nay:

(0)

Item 5. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R12-07 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED DECEMBER 13, 2011 THROUGH JANUARY 2, 2012

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of January 2012, that it be and hereby does approve the above-mentioned EL.

<u>Item 6. Legislative; Adopt Performance-Based Annual Compensation for Stafford</u>
County Board of Supervisors Member, Cord A. Sterling

Resolution R12-09 reads as follows:

A RESOLUTION TO REVISE AND RE-ADOPT PERFORMANCE-BASED ANNUAL COMPENSATION FOR BOARD MEMBER CORD STERLING OF THE STAFFORD COUNTY BOARD OF SUPERVISORS

WHEREAS, Virginia Code, Section 15.2-1414.2, provides that the "annual compensation to be allowed each member of the board of supervisors of a county shall be determined by the board of supervisors of such county but such compensation shall not be more than a maximum" that is determined by a majority vote of the Board;

WHEREAS, on January 5, 2010, a majority vote of the Board set the maximum compensation for Supervisors at \$20,500; and

WHEREAS, the Virginia Code does not prohibit Boards from tying payment of compensation, or portions thereof, to achievement of specific goals; and

WHEREAS, the goals of Stafford County include a quality education system, improvements to its transportation network, improvements to public safety, and the maintenance of fiscal responsibility; and

WHEREAS, Supervisor Cord A. Sterling has requested that a portion of his salary be tied to achievement of the goals of Stafford County; and

WHEREAS, Supervisor Sterling has requested that any portion(s) of his salary forfeited due to the failure of the County to reach its goals, be donated equally to the

Parent-Teacher Organizations (PTO's) of the elementary and middle schools serving the Rock Hill District;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 3rd day of January, 2012, that 20% of the compensation for Supervisor Cord A. Sterling shall only be paid if specific priority goals are achieved as follows:

- 1. 5% shall only be paid only if Stafford County demonstrates fiscal responsibility as follows:
 - a. 2.5% on October 1st of each year if Stafford County has a balanced budget for the previous fiscal year without reducing the fund balance below the County's fiscal goals, and
 - b. 2.5% on July 1st of each year only if the average Stafford County taxpayer does not incur an increased county tax burden (except in those cases where the citizens specifically approve such an increase as part of a bond referendum passed by a majority of the voters).
- 2. 5% shall be paid upon the receipt of validated data only if student Standards Of Learning (SOL) scores in Stafford schools exceed the average SOL scores of Fairfax County Schools;
- 3. 5% shall only be made available upon receipt of validated data if public safety improves as follows:
 - a. 2.5% if there is a reduction in the Group A (major crimes) crime rate, and
 - b. 2.5% if there is a County-wide reduction in fire and rescue response times.
- 4. 2.5% shall be paid on April 1st of each year only if Stafford County meets its annual Transportation Improvement Plan targets on time and on budget; and
- 5. 2.5% shall be paid on April 1st of each year only if Stafford County meets its obligations related to the Parks and Recreation Bond projects; and

BE IT FURTHER RESOLVED that if the goals outlined above are not achieved, those portions of the Supervisor Sterling's compensation will be donated equally to the PTO's of the elementary and middle schools serving the Rock Hill District.

<u>Legislative</u>; Approve the Minutes of the December 13, 2011 Board Meeting Mr. Milde motioned, seconded by Mr. Snellings, to adopt the December 13, 2011 meeting minutes.

The Voting Board tally was:

Yea: (4) Milde, Snellings, Sterling, Stimpson

Nay: (0)

Abstain: (2) Cavalier, Thomas

<u>Legislative</u>; <u>Closed Meeting</u>. At 8:29 p.m., Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM12-01.

The Voting Board tally was:

Yea: (6) Milde, Cavalier, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Resolution CM12-01 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting a personnel matter and consult with legal counsel regarding the vacant Garrisonville District Supervisor position, including appointment of an interim Supervisor and the election of a new Supervisor; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(1) and (A)(7) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 3rd day of January, 2012, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 9:02 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM12-01(a).

The Voting Board tally was:

Yea: (6) Milde, Cavalier, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Resolution CM12-01(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 3, 2012

WHEREAS, the Board has, on this the 3rd day of January, 2012 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 3rd day of January, 2012, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Legislative; Request a Writ of Election from the Circuit Court for the Garrisonville District

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-08. Mr. Milde made a substitute motion to hold a special election on November 6th. The motion failed due to lack of a second.

The Voting Board tally was:

Yea: (5) Sterling, Thomas, Cavalier, Snellings, Stimpson,

Nay: (1) Milde

Resolution R12-08 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ATTORNEY TO FILE A PETITION FOR A WRIT OF ELECTION

WHEREAS, L. Mark Dudenhefer, Garrisonville Election District Supervisor, has been elected to the Virginia House of Delegates; and

WHEREAS, Supervisor Dudenhefer resigned his office as a member of the Board representing the Garrisonville Election District as of January 3, 2012; and

WHEREAS, Supervisor Dudenhefer's election to the House and subsequent resignation from the Board leaves a vacancy on the Board for the Garrisonville Election District; and

WHEREAS, the Board desires to fill the vacancy on the Board for the Garrisonville Election District; and

WHEREAS, pursuant to Virginia Code § 24.2-226, the Board must authorize the County Attorney to Petition the Stafford County Circuit Court for a Writ of Special Election to fill this vacancy; and

WHEREAS, pursuant to Virginia Code § 24.2-682, the County Attorney must file a Petition for a Writ of Special Election within fifteen (15) days of the occurrence of the vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of January, 2012, that it be and hereby does authorize the County Attorney to file a Petition for a Writ of Special Election to fill the vacant Garrisonville Election District office; and

BE IT FURTHER RESOLVED that the special election shall be held on Tuesday, April 10, 2012, at Hampton Oaks Elementary School, H.H. Poole Middle School, and John M. Porter Library in accordance with Virginia Code § 24.2-681 and Stafford County Code § 9-34, for the purpose of electing a qualified voter from the Garrisonville Election District in Stafford County, Virginia to fill the vacancy on the Board for the Garrisonville Election District for a term commencing on the date that the person elected has qualified for the office and ending on December 31, 2013.

Adjournment At 9:20 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM County Administrator

Susan B. Stimpson Chairman